MSS

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 4041 OF 2005

IN

SUIT NO. 2354 OF 2002

ORIENTAL BANK OF COMMERCE .. PLAINTIFF

Vs.

SMT. JAGRITI C. PANDYA & ORS. .. DEFENDANTS

Mr. J. Girish Nair for plaintiff

None for defendants

CORAM: **SMT. RANJANA DESAI, J.**

DATE: AUGUST 10, 2007.

P.C.

. On this notice of motion on 21/12/05 this court passed the following order:

. "The Defendants are absent despite notice.

(2) This is a usual bank suit to recover the amounts due by the Defendants. The same have been secured by the hypothecation and mortgage.

(3) In the circumstances, ad-interim orders in terms of prayer (b) except the words bracketed in

red namely "in dealing with".

(4) The notice of motion is made returnable after six weeks."

2. It is clear, therefore, that the defendants were absent on 21/12/05 despite notice. Today again the defendants are absent.

3. I have perused the affidavit filed in support of the notice of motion. In the circumstances of the case Ad-interim order passed by this court on 21/12/05 is confirmed and shall operate during the pendency of the suit.

4. Motion is disposed of.

JUDGE.